

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

STEVE W. TUBBY	§	
VS.	§	CIVIL ACTION NO. 1:04cv499
BUREAU OF PRISONS	§	

MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION

Steve W. Tubby, proceeding *pro se*, filed the above-styled civil rights lawsuit. The court referred the matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to applicable orders of this court.

Plaintiff has filed what has been construed as a motion for default judgment (doc. no. 16). The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that the motion be denied.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the records, pleadings and all available evidence. No objections to the Report and Recommendation were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. Plaintiff's motion for default judgment is **DENIED**.

So **ORDERED** and **SIGNED** this **23** day of **February, 2007**.



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Ron Clark, United States District Judge

